



3628  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Rod L. Proctor**

Group Art Unit: 3628  
Confirmation No. 8520

Application No. 09/757,938

Filed: January 10, 2001

For: **FACILITY AND METHOD FOR CELLULAR  
DATA COMMUNICATION BETWEEN  
MERCHANTS AND CREDIT PROCESSING  
AGENCIES**

Docket No. AIR-3

Examiner: Harish T. Dass

Date: December 17, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22131-1450

Date: December 17, 2004

*[Signature]*  
Kitty Sisk

**TRANSMITTAL LETTER**

TO THE COMMISSIONER FOR PATENTS:

Enclosed for filing in the above-referenced application are the following:

1. Response to Office Action
2. Fee Transmittal (in duplicate)
3. Check in the amount of \$120.00 (one-month extension fee)
4. Return-receipt postcard

Respectfully submitted,

**Airbiquity Inc.**

By *[Signature]*  
Micah D. Stolowitz  
Registration No. 32,758

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 6551-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120.00

**Complete if Known**

Application Number 09/757,938

Filing Date January 10, 2001

First Named Inventor Rod L. Proctor

Examiner Name Harish T. Dass

Art Unit 3628

Attorney Docket No. AIR-3

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-4455 Deposit Account Name: Stoel Rives LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50       | 25                    |
| 200      | 100                   |
| 360      | 180                   |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

|              |              |          |               |
|--------------|--------------|----------|---------------|
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| - 20 or HP = | x            | =        |               |

HP = highest number of total claims paid for, if greater than 20.

|               |              |          |               |
|---------------|--------------|----------|---------------|
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| - 3 or HP =   | x            | =        |               |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|              |              |  |          |               |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): One-month extension fee

Fees Paid (\$)

120.00

**SUBMITTED BY**

|                   |                           |  |                          |
|-------------------|---------------------------|--|--------------------------|
| Signature         | <i>Micah D. Stolowitz</i> | Registration No. (Attorney/Agent) 32,758 | Telephone (503) 294-9189 |
| Name (Print/Type) | Micah D. Stolowitz        |  | Date December 17, 2004   |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**RESPONSE TO OFFICE ACTION**

TO THE COMMISSIONER FOR PATENTS:

Applicant hereby responds to the Office Action mailed August 24, 2004. Applicant's response comprises the following parts, each beginning on a new page:

- Cover page (this sheet).
- Listing of All Claims, beginning on page 2.
- Remarks, beginning on page 6.

Applicant requests a one-month extension of time to file the present response.

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